Docket No.: 1046.1264

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Hiroyasu FUJIWARA et al.

Serial No. 10/015,660   Group Art Unit: 2128

Confirmation No. 6609

Filed: December 17, 2001   Examiner: GEBRESILASSIE, KIBROM K.

For: MEDIUM RECORDED WITH PROGRAM FOR MANAGING AND UTILIZING
          INFORMATION OF PLURALITY OF CORPORATIONS IN REAL TIME,
          ORGANIZATION ACTIVITY MANAGEMENT METHOD, AND INFORMATION
          PROCESSING SYSTEM

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APPELLANTS' BRIEF IN REPLY UNDER 37 C.F.R. §41.41

Sir:

In response to the Examiner's Answer mailed May 31, 2007 in the above-identified

application, Appellants submit this Reply Brief.

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(9) GROUNDS OF REJECTION

The grounds of rejection listed in the Examiner's Answer at pages 3 to 17 are more specific than the rejections listed in the final Office Action mailed June 22, 2006, and therefore the following remarks supplement the Appeal Brief.

Claims 1-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over the article "An Integration Test-Bed System for Supply chain Management" by Umeda et al. (hereinafter "Umeda"), in view of U.S. Patent No. 6,049,787 to Takahashi et al. ("Takahashi").

Relative to claim 1, the last paragraph on page 3 of the Examiner's Answer states:

> inputting the communication data sent from a first organization to a second organization (such as ... **The input data to VSM includes delivery orders from customers (i.e. first organization), ... VSM send the process order to the individual suppliers (i.e. second organization) for production...; See: page 1381, lefts side column, under "3.2 Virtual Supplier Manager" paragraph four; Fig. 1 and Fig. 2)** (emphasis in original when referring to or reproducing Umeda; the claim 1 language is not emphasized).

Since according to claim 1, the communication data is sent from the first organization, Applicants assume that the Examiner asserts that the customers are the first organization and the communication data are the delivery orders. Further, since in claim 1, the communication data is input to the second organization, Applicants assume that the Examiner asserts that individual suppliers of Umeda are the second organization. These assumptions are confirmed by explicit statements in the "Response to Argument" section of the Examiner's Answer, page 18. However, the individual suppliers receive the process order in Umeda, not the delivery orders which the Examiner alleges to correspond to the communication data of claim 1. Therefore, Applicants argument that Umeda does NOT teach or suggest the "inputting the communication data sent from a first organization to a second organization" as recited in claims 1, 6, and 11 stands valid.

Moreover in view of the framework established above, the first paragraph on top of page 4 of the Examiner's Answer states:

> simulating a first intra-organization procedure executed in said first organization when sending the communication data (such as ...**VSM simulates mainly business-process flow and information flow within the chain companies...; See: page 1378, right side column, lines 7-14; FIG. 1)** (emphasis in original citing Umeda).

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The business-process flow and information flow within the chain companies simulated in Umeda are NOT an **intra-organization** procedure as recited in claim 1 executed in the customers which the Examiner alleges to correspond to the first organization. Additionally, Umeda includes no teaching or suggestion that VSM simulation occurs "when sending the communication data."

Finally, also relative to claim 1, the second paragraph on page 4 of the Examiner's Answer, which is still referring to Umeda's disclosure as corresponding to claim 1's features, states:

> recording first data generated by the first intra-organization procedure (such as ... **input/output data are transferred and published by suppliers data driver ... manage their data base system...; See: page 1384, left side column, lines 8-16)** (emphasis in original when referring to Umeda).

Merely recording input-output data as discussed in Umeda is not the same as recording data generated by the first intra-organization procedure as recited in claim 1.

The assertions made in the Examiner's Answer regarding the alleged disclosure in Umeda of the features recited in claim 1, lack consistency and logical coherence. Similar, observations are pertinent relative to the grounds of rejection of claims 2, 6, 7, 11, and 12, but Applicants do not reiterate them here to avoid redundancy.

(10) RESPONSE TO ARGUMENTS

a. Umeda does not teach or suggest the "inputting the communication data sent from a first organization to a second organization" as recited in claims 1, 2, 6, 7, 11 and 12. (See arguments (a) on page 18 of the Examiner's Answer and (e) on page 21-22 therein.)

The Examiner admits that the VSM in Umeda receives **input data** and sends **the data** (not the input data) to individual suppliers. According to the reproduced portions of Umeda the input data and the data are not the same, which means that the communication data (i.e., delivery orders) sent from a customer (i.e. a first organization) is NOT input to a second organization in Umeda. Other data (i.e. the process orders) is input to the suppliers (the second organization).

b. Umeda does not teach or suggest the "simulating a first intra-organization procedure executed in said first organization when sending the communication data" as recited in claims 1, 6, and 11. (See arguments (b) on page 19 of the Examiner's Answer.)

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In view of the Examiner's position that the customers of Umeda correspond to the first organization, the VSM of Umeda does not simulate "a first intra-organization procedure" in the customers. Although Umeda discloses the VSM performing simulations, the VSM does not simulate "a first intra-organization procedure executed in said first organization" as set forth in claim 1. Moreover, the Examiner does not even suggest that in Umeda, the simulating is related to "when sending the communication data" as recited in claim 1.

c. **Umeda does not teach or suggest the "recording first data generated by the first intra-organization procedure."** (See arguments (c) on pages 19-20 of the Examiner's Answer and (f) on page 22 therein.)

The Examiner erroneously asserts that merely recording the input/output data in a database is the same as recording the first data generated by the first intra-organization procedure. According to the portion of Umeda underlined and reproduced in the Response to Arguments section of the Examiner's Answer (see page 20), the simulation input-output data are supplied only when required.

For the forgoing reasons and the reasons already put forth in the Appeal Brief, Appellants request respectfully that the Board reverse the outstanding rejections of the claims of this application.

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CONTINGENT AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT AND

CONTINGENT PETITION FOR EXTENSION OF TIME

Appellants hereby petition for any extension of time that may be required to maintain the pendency of this case, and any required fee for such extension is to be charged to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: _July 24, 2007_   By: _____
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